

**Notice of Allowability**

Application No.

10/646,193

Applicant(s)

BAIN, PETER

Examiner

Art Unit

KIBROM K. GEBRESILASSIE

2128

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/23/2008.
2. ☒ The allowed claim(s) is/are 1-9,11-21,23-33,35-37,40-43,46-50 and 52-57.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date ____     | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance             |
|  | 9. <input type="checkbox"/> Other ____.  |

### **DETAILED ACTION**

1. This communication is responsive to after final filed on 05/23/2008 and a telephone interview conducted with Applicant Representative in several occasions between 06/23/2008 to 07/08/2008 (See: Interview Summary attached).
2. Claims 1-9, 11-21, 23-33, 35-37, 40-43, 46-50, 52-57 are presented for examination.
3. Claims 10, 22, 34, 38, 39, 44, 45, and 51 are canceled.

### **EXAMINER'S AMENDMENT**

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Peter Gallagher (Registration No. 47, 584) on July 7, 2008.

The application amended as follows:

Claim 25 line 2, after the word "readable" insert --storage--.

### ***Allowable Subject Matter***

5. Claims 1-9, 11-21, 23-33, 35-37, 40-43, 46-50, 52-57 are allowed.
6. The following is an examiner's statement of reasons for allowance: claims 1-9, 11-21, 23-33, 35-37, 40-43, 46-50, 52-57 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the

independent claims, specifically *at first location, adding circuitry for entangling multiple input signals to thereby spread out the input signals; at a second location, adding circuitry for detangling an output signal resulting from the circuitry for entangling* as disclosed in independent claims 1, 13, and 25 (as defined at pg. 5 lines 1-19, pg. 15 lines 10-12, pg. 19 line 33 to pg. 20 line 4, pg. 20 line 10-14, pg. 22 line 4 to pg. 23 line 17, of the instant application), *inserting entangler circuitry upstream from the region and inserting complementary detangler circuitry downstream from the region; inserting scrambler circuitry upstream from the region and inserting complementary descrambler circuitry downstream from the region* as disclosed in independent claim 37 (as defined at pgs. 5 lines 1-19, pg. 15 lines 10-12, pg. 19 line 33 to pg. 20 line 4, pg. 20 line 10-14, pg. 21 lines 7-36, pg. 22 line 4 to pg. 23 line 17 of the instant application).

7. The prior art of reference Jakubowski et al (US Patent No. 7, 080, 257) discloses an original digital goods represents the software product or data as originally produced, without any protection or code modification (i.e. non-obfuscated version), the obfuscator automatically parses the original digital good and applies selected protection tools to various portions of the parsed good in a random manner to produce the protected digital good, the protected digital good (i.e. obfuscated version) is a unique version of the software product or data after the version protection schemes have been applied, the protected digital good is functionally equivalent to and derived from the original digital good , but is modified to prevent potential pirates from illegally copying or otherwise distributing the digital goods (See: Col. 3 line 56 through Col. 4 line 15; Fig. 2 #122, #134, #136(1)-136(16), and #124).

Jakubowski et al does not disclose a specific circuitries such as *at first location, adding circuitry for entangling multiple input signals to thereby spread out the input signals; at a second location, adding circuitry for detangling an output signal resulting from the circuitry for entangling as disclosed in independent claims 1, 13, and 25, inserting entangler circuitry upstream from the region and inserting complementary detangler circuitry downstream from the region; inserting scrambler circuitry upstream from the region and inserting complementary descrambler circuitry downstream from the region as disclosed in independent claim 37.*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KIBROM K. GEBRESILASSIE whose telephone number is (571)272-8571. The examiner can normally be reached on 8:00 am - 4:30 pm Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on 571-272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kamini S Shah/  
Supervisory Patent Examiner, Art Unit 2128

/Kibrom K Gebresilassie/  
Examiner, Art Unit 2128